IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WP(C).No. 19288 of 2007(U)

OA.93/2002 of DEBT RECOVERY TRIBUNAL, ERNAKULAM

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PETITIONER:

P.JOSE UKKURU, S/O.P.V.UKKURU,
PERATHOOR HOUSE, BISMI NAGAR,
MAROTICHUVADU, THRIKKAKKARA, EDAPPALLY,
ERNAKULAM.

BY ADV. SRI.K.G.CLEETUS

RESPONDENTS:

THE FEDERAL BANK LTD.,
REGISTERED OFFICE ALUVA, BRANCH AT BANERJI ROAD,
ERNAKULAM NORTH.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 19288 OF 2007

Dated this the 27th day of June, 2007

JUDGMENT

Petitioner is challenging Ext.P3 order by which the DRT has rejected petitioner's request for further time for adducing evidence in the matter. DRT has clearly found that the petitioner was only dodging the proceedings which commenced five years back. Even though I do not find any ground to interfere with Ext.P3 order, I feel one more opportunity can be granted to the petitioner, on condition that the petitioner deposits an amount of Rs. 25 lakhs before the respondent-Bank and produce receipt before the DRT within two months from now. If payment is made as above, then there will be direction to DRT to give one more opportunity to the petitioner to adduce evidence and for hearing. A posting date will be given by the DRT after production of receipt by the petitioner. However, if the petitioner thereafter does not co-operate, DRT will proceed to issue final orders.

W.P. is disposed of as above.

(C.N.RAMACHANDRAN NAIR)
Judge